

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:04cv265**

<b>JIMMY DAWSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>U.S. TEXTILE CORP., a North Carolina Corporation; and CONSOLIDATED WORK INDUSTRIES, INC., a North Carolina Corporation,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**THIS MATTER** is before the court on defendants' Motion for Leave to Take Deposition of incarcerated persons, to wit, JOHN A. McMILLIAN and CHARLES THOMPSON, in accordance with the provisions of Rule 30(a)(2), Federal Rules of Civil Procedure. Finding that good and adequate cause has been shown and that such depositions are in the further interest of justice, the request will be allowed. Counsel for the respective parties are advised that such deposition is subject to any time, place, and manner restrictions imposed by prison authorities or other rules and regulations the correctional institution may impose.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendants' Motion for Leave to Take Deposition of incarcerated persons is **ALLOWED**, and defendants are **GRANTED** leave to depose JOHN A. McMILLIAN and CHARLES THOMPSON while they are incarcerated, all in accordance with Rule 30(a)(2), Federal Rules of Civil Procedure.

**Signed: August 10, 2005**

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

